

Coast Guard, DHS

§9.2

if any one or more of the following occurs:

- (1) The sale of the vessel.
- (2) A finalized letter of warning or assessment of a civil penalty for—
 - (i) Operating outside the scope of the vessel's COI or Stability Letter;
 - (ii) Not reporting a personnel or material casualty required to be reported under 46 CFR part 4; or
 - (iii) A material deficiency listed in §8.515(b)(3).

§8.560 Waiver.

(a) A Coast Guard District Commander may waive any requirement of this subpart—

- (1) If good cause exists for granting a waiver; and
- (2) If the safety of the vessel and those on board will not be adversely affected.

(b) Requests for waiver of any requirement of this subpart must be submitted in writing to the cognizant OCMi for review before forwarding to the Coast Guard District Commander for action.

(c) A copy of each waiver granted under this section shall be maintained at all times in the VAP.

§8.565 Appeal.

A company may appeal any decision or action taken under this subpart in accordance with 46 CFR part 1, subpart 1.03 of this chapter.

§8.570 Interim approval of prototype SIP company or vessel plans.

(a) A company operating under an approved prototype SIP company or vessel plan must apply in writing by November 1, 1998, to the cognizant OCMi for approval to continue operating under the plans while revisions are developed to bring the prototype SIP company or vessel plan into conformance with this subpart. The OCMi may approve the request for a period of up to 3 years.

(b) A company that does not request approval as required by paragraph (a) of this section or does not obtain approval to continue operating under a prototype SIP company or vessel plan by February 1, 1999, may no longer operate under the plans and will be inspected in accordance with the require-

ments of 46 CFR part 2, subpart 2.01 of this chapter.

PART 9—EXTRA COMPENSATION FOR OVERTIME SERVICES

Sec.

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AUTHORITY: 46 U.S.C. 2103; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 74-119, 39 FR 33336, Sept. 17, 1974, unless otherwise noted.

§9.1 Extra compensation; Coast Guard civilian personnel.

Civilians assigned to the duties formerly assigned to local inspectors and their assistants, prior to Reorganization Plan No. 3 of 1946 (3 CFR, 1946 Supp.), and customs officers and employees, while performing duties in connection with the inspection of vessels or their equipment, supplying or signing on or discharging crews of vessels, at night or on Sundays and holidays, shall receive extra compensation to be paid by the master, owner, or agent of the vessel to the local United States collector of customs or his representative. (See §9.16.)

[CGD 74-119, 39 FR 33336, Sept. 17, 1974, as amended by USCG-2000-7790, 65 FR 58458, Sept. 29, 2000]

§9.2 Payment although no actual service performed.

The rates of extra compensation are payable in cases where the services of officers or employees have been duly requested and the officers or employees